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Navy Case 84,742

APR 1 9 2007

#### IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:

FRANK CROSBY, ET AL.

Serial No.:

10/637,080

Filing Date: August 4, 2003

Art Unit: 2624

For: AUTOMATED THRESHOLD SELECTION

FOR A TRACTABLE ALARM RATE

Examiner: Duy M. Dang

Commissioner for Patents Alexandria VA 22313-1450

### RESPONSE TO NOTICE OF NONCOMPLIANT AMENDMENT

## CERTIFICATE OF TRANSMISSION (37 C.F.R.1.6(d) and (1.8)

I hereby certify that these papers were transmitted via facsimile to 571-273-8300, Central Fax Number, at the United States Patent & Trademark Office, on the date shown below:

Date:

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In re application of:

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# RESPONSE TO NOTICE OF NONCOMPLIANT AMENDMENT

Hon. Commissioner of Patents and Trademarks Washington, D.C. 20231

#### Sir:

In response to the Notice of Noncompliant Amendment of 04/10/2007, Applicants hereby re-submit their Response to the Restriction Requirement of 01/19/2006.

## RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

In response and with reference to the Restriction Requirement of 01/19/2006, Applicants hereby elect the invention identified therein as Invention II ("bounding an area around the location of the identified pixel, the area corresponding in size to an ara of a known target image, and calculating threshold using formula set forth in claim 10 for example"), covered by claims 7-13, 20-24 and 38-47. A listing of all claims readable on the elected invention follows on the next page.

Applicants' election is made without traverse or prejudice. An action on the merits of the claims of Invention II is respectfully requested.

Respectfully submitted,

JAMES T. SHEPHERD Attorney of Record Registration No. 43,917

J Shepherd NSWC Panama City Panama City, FL 32407-7001 (850) 234-4646 18 April 2007